

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
Eastern Division**

PENNYMAC LOAN SERVICES, LLC,

Plaintiff,

CIVIL ACTION

Case No: 2:19-cv-00193- HSO-MTP

-vs-

INNOVATED HOLDINGS, INC. dba SITCOMM
ARBITRATION ASSOCIATION; MARK
MOFFETT; SANDRA GOULETTE; RONNIE
KAHAPEA; MARK JOHNSON, KIRK GIBBS;
BRETT “EEON” JONES aka EEON aka BRETT
JONES aka BRETT TORIANO
JONESTHEOPHILIOUS aka BRETT RANDOFF
TORIANO KEEFFE HENRY KANA-SHAPHEL
HITHRAPPE JONES-THEOPHILUS fka KEEFFE
BRANCH; and RANCE MAGEE,

Defendants.

**DECLARATION OF NICOLE
METRAL REGARDING MOTION
TO SUBSTITUTE ITS
MEMORANDUM OF LAW (DKT
NO. 160) AND EXCERPTS FROM
THE DEPOSITION OF SANDRA
GOULETTE (DKT NO. 159-19)**

**DECLARATION OF NICOLE METRAL REGARDING PLAINTIFF’S MOTION TO
SUBSTITUTE ITS MEMORANDUM OF LAW (DKT NO. 160) AND EXCERPTS FROM
THE DEPOSITION OF SANDRA GOULETTE (DKT NO. 159-19)**

I, Nicole Bartz Metral, hereby do declare as follows:

1. I am an attorney at law duly licensed to practice before all the courts of the State of California and have been admitted *pro hac vice* before this Court for the above-referenced matter. I am an associate in the law firm Blank Rome LLP, attorneys for plaintiff PennyMac Loan Services, LLC (“PennyMac”) in the above-entitled action. I have personal knowledge of the facts set forth in this declaration, and if called upon to testify as a witness, I could and would competently testify to the following facts.

2. I submit this declaration in support of PennyMac's Motion to Substitute (the "Motion to Substitute") its Memorandum of Law (Dkt No. 160) and Excerpts from the Deposition of Sandra Goulette (Dkt No. 159-19).

3. On January 25, 2021, PennyMac filed its motion for default judgment and, in the alternative, summary judgment against defendants Innovated Holdings, Inc. dba Sitcomm Arbitration Association ("Sitcomm"), Mark Moffett ("Moffett"), Sandra Goulette ("Goulette"), Kirk Gibbs ("Gibbs"), Brett "Eeon" Jones aka EEON aka Brett Jones aka Brett Toriano Jonestheophilious aka Brett Randoff Toriano Keeffe Henry Kana-Shaphel Hithrappes Jones-Theophilus fka Keefe Branch ("EeoN"), and Rance Magee ("Magee") (collectively, "Defendants") on Plaintiff's Third, Fourth, Fifth, Sixth, and Seventh Causes of Action (the "Motion") (Dkt No. 159) and its Memorandum of Law (the "Memorandum") in support of the Motion (Dkt No. 160.)

4. The Memorandum contained typographical errors in the citations to the Deposition of Sandra Goulette, taken on January 20, 2021 (the "Transcript") because the final version of the Transcript was not available until shortly before PennyMac's deadline to file the Motion. Similarly, Exhibit 19 to the Motion (the "Transcript Excerpts") attached incorrect pages.

5. A true and correct copy of the Memorandum with corrected citations to the Transcript is attached as Exhibit A to the Motion to Substitute (the "Corrected Memorandum"). The Corrected Memorandum corrects the citations to the Transcript but is otherwise the same as the Memorandum filed at Dkt No. 160.

6. A true and correct copy of the Transcript Excerpts with conformed deposition pages is attached as Exhibit B to the Motion to Substitute (the "Corrected Transcript Excerpts").

7. Defendants, including Goulette, have not yet responded to the Motion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 5th day of March, 2021, at Los Angeles, California.

/s/ Nicole Bartz Metral

Nicole Bartz Metral

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is **BLANK ROME LLP**, 2029 Century Park East, 6th Floor, Los Angeles, California 90067.

On **March 5, 2021**, I served the foregoing document(s):

**DECLARATION OF NICOLE METRAL REGARDING MOTION TO SUBSTITUTE
ITS MEMORANDUM OF LAW (DKT NO. 160) AND EXCERPTS FROM THE
DEPOSITION OF SANDRA GOULETTE (DKT NO. 159-19)**

on the interested parties in this action addressed and sent as follows:

SEE ATTACHED SERVICE LIST

- ☒ **BY ENVELOPE:** by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as indicated and delivering such envelope(s):
- ☒ **BY CERTIFIED MAIL:** I caused such envelope(s) to be deposited in the mail at Los Angeles, California with postage thereon fully prepaid to the office or home of the addressee(s) as indicated. I am "readily familiar" with this firm's practice of collection and processing documents for mailing. It is deposited with the U.S. Postal Service on that same day, with postage fully prepaid, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☒ **BY FEDEX:** I caused such envelope(s) to be deposited in a box or other facility regularly maintained by FedEx, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents in an envelope designated by the said express service carrier, addressed as indicated, with delivery fees paid or provided for, to be transmitted by FedEx.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on **March 5, 2021**, at Los Angeles, California.



Charman Bee

SERVICE LIST

Pennymac Loan Services, LLC v. Sitcomm Arbitration Association, et al.;

Case No. 2:19-cv-00193-KS-MTP

BY CERTIFIED MAIL:

Ronnie Kahapea P.O. Box 875 Volcano, HI 96785	Defendant
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BY FEDEX:

Mark Johnson 451 May Lane Louisa, VA 23093	Defendant
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Kirk Gibbs 4115 Lawrenceville Rd. PMB 8119 Lilburn, GA 30047	Defendant
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Sandra Goulette 3007 Crescent Hill Drive Laurel, MS 39440	Defendant
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Mark Moffett 345 Coon Jeffcoat Road Soso, MS 39480	Defendant
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Rance Magee 11294 Rose Road Emmett, MI 48022	Defendant
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Innovated Holdings, Inc. dba Sitcomm Arbitration Association C/O Registered Agents, Inc. 30 N. Gould Street, Suite R Sheridan, WY 82801	Defendant
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Brett "Eeon" Jones 304 South Jones Boulevard Unit Eeon-1967 Las Vegas, NV 89107	Defendant
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